

COMMITTEE REPORT

5/22/76

SENATE

Mr. President:

Date 5/26/76

The Committee on Finance has had CSHB 141 (Fin)
 ~~revising the Community College Act.~~

under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____
COMMITTEE

() reports it back WITHOUT RECOMMENDATION

(X) "other" individual recommendations

Members signing the Majority report:

<u>Bill Kay</u>	<u>NO REC</u>	_____
_____	_____	_____
<u>Foran</u>	<u>NO PASS</u>	_____
<u>Gene Clavin</u>	<u>No Pass</u>	_____

Members NOT concurring in the Majority report:

<u>Bill Kay</u>	recommends:	<u>NO REC</u>
<u>Kay Tolson</u>	recommends:	<u>NO REC</u>
_____	recommends:	_____
_____	recommends:	_____
_____	recommends:	_____

Bill Kay Chairman

UNIVERSITY OF ALASKA

May 24, 1976

TO: Senator Frank Ferguson

FROM: Don M. ~~W~~Dafoe, Executive Vice President
University of Alaska

SUBJECT: SCS for CSHB 144

Since we have not previously had an opportunity to comment on the above bill, I am taking this means of setting forth the views of the University administration. These views, however, have not been cleared with the Board of Regents.

We have worked with community college directors and the legislature in the evolution of HB 144, which was based on HB 541, which died in the previous session. Your committee has incorporated several suggestions we made on CSHB 144.

We can endorse SCS for CSHB 144 with the exception of Sec. 14.40.605 - Administration, which we believe should be deleted. However, if it is deleted other portions of the bill would have to be "cleaned up."

In the first place, we seriously question whether the legislature ought to become involved in legislating the administration and internal structure of the University system. Section 3 of Article VII of the Constitution states that the University shall be "governed by" the Board of Regents and governance would logically include establishing structure and administration.

In the second place the creation of chancellor positions directly responsible to the Regents by-passes the President who by Section 3 of Article VII is to be the executive officer of the Board. In effect the bill creates three presidencies.

Perhaps, however, the legislature in times of discontent with the University may feel constrained to seek to influence structure and administration. The legislature, of course, has a most powerful tool at its command in terms of the budget and budget intent.

One part of the provisions of Sec. 14.40.605 has already been established by the President and Board of Regents - that is the office of the Vice President for Rural Education Affairs. Four community colleges (Kodiak, Kenai, Kuskokwim and Northwest) are administered by that vice president.

Senator Frank Ferguson

May 24, 1976

Page Two

Three community colleges (Juneau, Sitka and Ketchikan) in Southeast Alaska are administered by the Chancellor of the University of Alaska, Southeast.

Two community colleges (Anchorage and Mat-Su) are administered as a part of the University of Alaska, Anchorage under a Chancellor.

Tanana Valley Community College is administered as a part of the University of Alaska, Fairbanks under a Chancellor.

In our opinion, the creation of a Chancellor for urban community colleges would serve no useful purpose. It would add about \$100,000 to administrative expense. Also the language of the bill would require downgrading the Vice President for Rural Educational Affairs to a Chancellor position.

The separation of TVCC, ACC and Mat-Su, and Juneau, from the other University operations in Fairbanks, Anchorage and Juneau would create many problems of space utilization, provision of support services, and correlation of programs and might well cause additional non-productive expense.

Elimination of Section 14.40.605 would create no problems except for cleaning up other language in the bill. Section 14.40.635 provides that the Board shall proscribe regulations for operation and maintenance of community colleges and other programs.

We have recommended to your committee and to other committees and individuals that the whole question of community college organization and administration might well be turned to the Alaska Post Secondary Commission for review and recommendation. This Commission, created by the legislature, includes within its functions the authority, and indeed the responsibility, to conduct such studies and review.

cc: Senator Chancy Croft, Senate President
Senator Bill Ray, Chairman, Senate Finance Committee
Senator Genie Chance, Senate Health, Education & Social Services
Senator Jalmar Kerttula, Senate Majority Leader
Representative Mike Bradner, Speaker of the House
Representative Hugh Malone, Chairman, House Finance Committee
Representative Mike Miller, House Majority Leader
Representative Bill Parker, Chairman, House Rules Committee
Representative Charles Parr, Chairman, Select Committee
on Education

Dr. Kerry Romesburg, APSC
President's Council
Board of Regents

Original sponsor: Rules Committee by
request of the Interim Committee on
Higher Education

Offered: 5/22/76
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 144
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to community colleges; and providing
7 for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 14.40 is amended by adding new sections to read:

10 ARTICLE 6. COMMUNITY COLLEGE ACT.

11 Sec. 14.40.565. PURPOSE. (a) The system of comprehensive com-
12 munity colleges, off-campus centers and outreach programs is an integral
13 part of the statewide university system and includes degree and non-
14 degree programs of postsecondary and continuing education established by
15 the Board of Regents of the University of Alaska either independently or
16 in cooperation with the governing bodies of school districts or munici-
17 palities in the state, with an agency of the federal government, or with
18 a nonprofit corporation or association to expand the opportunity for
19 obtaining a postsecondary education throughout the state beyond the
20 confines of the established campuses of the university.

21 (b) The comprehensive community college includes flexible, ver-
22 satile programs of postsecondary instruction, counseling and advising,
23 job placement and other activities designed to meet the needs of the
24 area it serves, including but not limited to:

25 (1) academic courses and curricula that lead to associate
26 degrees, or that enable the student to transfer to a four-year insti-
27 tution of higher education in pursuit of a baccalaureate degree;

28 (2) occupational education including vocational-technical
29 programs and cooperative education in conjunction with employment in

1 business and industry that enable the student to develop technical
2 skills in a chosen trade or occupation and lead either to a degree or a
3 certificate of completion;

4 (3) general education and public interest courses designed to
5 meet the needs of a community, to enable a person to expand his know-
6 ledge, improve the quality of his life, or acquire, change or update a
7 skill that a person lacks or that has become obsolete; and

8 (4) combinations of (1) - (3) of this subsection.

9 (c) The statewide system of community colleges, off-campus centers
10 and outreach programs also shall develop an educational delivery system
11 the principal objective of which is the outreach of the university into
12 rural Alaska. It shall administer and conduct postsecondary educational
13 programs, including but not limited to off-campus study and credit and
14 noncredit courses that may or may not lead to associate, baccalaureate
15 or advanced degrees.

16 Sec. 14.40.575. ESTABLISHMENT. (a) Since postsecondary and
17 continuing education is a statewide responsibility, the Board of Regents,
18 as the need arises, may independently establish, operate and maintain,
19 or may enter into a cooperative agreement with an agency of the federal
20 government, a school district, a municipality or a nonprofit corporation
21 or association for the establishment, operation and maintenance of,
22 appropriate public postsecondary and continuing educational programs and
23 activities in community colleges, off-campus centers or by other means.

24 (b) A community college or an off-campus center may be established
25 by the Board of Regents only in accordance with the minimum criteria
26 established by this section, as supplemented by the board by regulation.

27 (c) The establishment of a community college or an off-campus
28 center may be proposed by

29 (1) the governing body of a municipality, or a school district;

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(2) an agency of the federal government;

(3) petition of interested citizens in the community or area to be served; a nonprofit corporation or association;

(4) the Alaska Commission on Postsecondary Education or the state advisory council on community colleges created under secs. 901 - 915 of this chapter;

(5) the legislature by concurrent resolution; or

(6) the board.

(d) A new community college or a new off-campus center may not be established until a feasibility study as to the need for its establishment in the community or area to be served has been completed either as directed by the board, or by a proponent under (c) of this section, and approved by the board. The feasibility study shall be submitted for information purposes to the respective finance and education policy committees of each house of the legislature and to the Alaska Commission on Postsecondary Education.

(e) The feasibility study required in (d) of this section shall include but is not limited to:

(1) an analysis of the population and educational needs of the municipality, school district or service area in which the proposed community college or off-campus center is to be located;

(2) a description of the boundary of the service area for the proposed community college or off-campus center;

(3) estimated and projected enrollment;

(4) proposed core faculty and administrative staffing;

(5) a proposed budget for the initial fiscal year of operation together with a statement of sources of financial support required for core faculty and administrative staff, curriculum and other programs and activities, and physical facilities;

1 (6) a plan for citizen involvement through a community
2 college policy council established under sec. 625 of this chapter; and

3 (7) a proposed agreement with the school district, municipi-
4 pality or federal agency or a nonprofit corporation or association under
5 sec. 585(a) of this chapter.

6 (f) If in any community where a community college has been pro-
7 posed, the level of demand for postsecondary and continuing education as
8 determined by the feasibility study required under (d) of this section
9 is more limited than that required for the establishment of a compre-
10 hensive community college program, the board may establish an off-campus
11 center or an outreach program.

12 Sec. 14.40.585. RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY,
13 FEDERAL AGENCY. (a) A school district, municipality, federal agency or
14 nonprofit corporation or association may make an agreement with the
15 University of Alaska for the establishment, operation and maintenance of
16 a community college, an off-campus center or off-campus instruction
17 through an outreach program. The agreement shall include, but is not
18 limited to:

19 (1) recognition that complete operational authority resides
20 with the university, subject to periodic reviews by the cooperating
21 school district, municipality, federal agency or nonprofit corporation
22 or association and appropriate reports to ensure program articulation
23 and effective cross-utilization of facilities;

24 (2) provision for cooperative planning of program and facili-
25 ties needs and for cross-utilization of facilities;

26 (3) provision that local funding, in addition to student fees
27 or in-kind contributions, may be provided for support of those general
28 education courses, described in sec. 565(b)(3) of this chapter, or
29 secondary school-related courses as the school district, municipality,

1 federal agency or nonprofit corporation or association considers appro-
2 priate; and

3 (4) provision for periodic review of the agreement.

4 (b) If separate facilities are financed, constructed or maintained
5 from federal, state or private funds for programs and activities of the
6 community college, off-campus center or outreach program, then the board
7 has title to and control of the separate facilities used for these
8 purposes. If separate facilities are financed, constructed or main-
9 tained from school district, municipality or nonprofit corporation or
10 association funds for community college or off-campus center or outreach
11 programs and activities, the school district, municipality or nonprofit
12 corporation or association has title to and control of the separate
13 facilities used for these purposes.

14 Sec. 14.40.595. FINANCE. (a) The state is basically responsible
15 for the funding for all community college, off-campus center or outreach
16 programs and activities. However, nothing in secs. 565 - 655 of this
17 chapter prohibits a school district, municipality, federal agency or
18 nonprofit corporation or association from providing funds for additional
19 courses and programs which may be considered appropriate under sec.
20 585(a)(3) of this chapter.

21 (b) The chancellor shall prepare a complete program budget for
22 each community college, off-campus center and outreach program in his
23 division including all courses, programs and activities regardless of
24 the source of funding, including but not limited to funds from fees,
25 gifts, bequests, grants, contracts, or agreements.

26 (c) All funds received for community college, off-campus center or
27 outreach programs operations shall be administered in the manner pre-
28 scribed by the board by regulation.

29 Sec. 14.40.605. ADMINISTRATION. (a) The Board of Regents shall

1 establish two administrative divisions within the university for the
2 administration of the community colleges, off-campus centers and out-
3 reach programs statewide: an urban education division and a rural
4 education division. The urban education division consists of the com-
5 munity colleges, off-campus centers and outreach programs designated by
6 the board that are located in the major urban centers of, or in any
7 other geographically identifiable and self-contained region in, the
8 state. The rural education division consists of the community colleges,
9 off-campus centers and outreach programs designated by the board that
10 are located outside the major urban centers of the state.

11 (b) The chief administrative officer for each division shall be a
12 chancellor. Each chancellor shall be appointed by and is responsible
13 directly to Board of Regents. In addition to his responsibility for the
14 administration of programs for the community colleges and off-campus
15 centers assigned to his division, each chancellor shall develop and
16 administer off-campus educational delivery systems and outreach programs
17 for the urban or rural areas of the state appropriate to each division.

18 (c) Each chancellor shall

19 (1) subject to the approval of the board, and on recommenda-
20 tion of the appropriate community policy council, appoint the administra-
21 tor for each community college, off-campus center or outreach program in
22 his division;

23 (2) define the duties and supervise the performance of those
24 duties of the persons he appoints to positions established by the board;

25 (3) coordinate and give general direction to the work of the
26 colleges, centers and programs in his division in accordance with the
27 policies established by the board.

28 (d) The chancellor for each appropriate division may appoint the
29 faculty and other officers and employees of each community college,

1 off-campus center or outreach program, on recommendation of the adminis-
2 trator of each; however, with the approval of the board, the chancellor
3 may delegate the authority to appoint faculty, officers and employees to
4 the administrator of each college, center or program.

5 (e) A central service organization for the system of community
6 colleges, off-campus centers and for the outreach programs in each divi-
7 sion may be created and regional service centers may be established to
8 administer the outreach programs and to provide postsecondary educa-
9 tional services to the residents of the urban or rural areas of the
10 state in each service area for which a regional center is established.
11 In a service area where a community college or off-campus center is
12 located, the regional service center shall be integrated with the opera-
13 tion of the community college or off-campus center.

14 Sec. 14.40.015. FACULTY; COURSE OF INSTRUCTION. (a) Full-time
15 members of the faculty and administrative staff of each division, com-
16 munity college and off-campus center are members of the faculty and
17 administrative staff, respectively, of the University of Alaska for all
18 purposes.

19 (b) The chancellor for each division is responsible for prescrib-
20 ing the qualifications, and for establishing the procedure for appoint-
21 ment, of all division, community college and off-campus center faculty
22 and administrative staff, whether part or full-time.

23 (c) A community college, off-campus center or outreach program is
24 concerned with the total educational needs of the area it serves and may
25 coordinate and facilitate all public postsecondary and continuing educa-
26 tion in the area. With the approval of the appropriate chancellor,
27 selected upper division and graduate courses offered by the university
28 may be coordinated through the office of the administrator of a community
29 college, an off-campus center, or an outreach program.

1 Sec. 14.40.625. COMMUNITY POLICY COUNCIL. (a) A community policy
2 council, the majority of whose members shall be persons served by the
3 programs developed and administered under secs. 565 - 655 of this
4 chapter, shall be established for each community college. Each council
5 shall consist of not less than seven nor more than 15 members who shall
6 be broadly representative of the area served, including faculty and
7 student representation. A policy council shall be appointed for an off-
8 campus center and for each regional service center, when the center is
9 not integrated with a community college or off-campus center, at the
10 discretion of the board.

11 (b) The board, by regulation, shall designate the appointing
12 authority for members of community policy councils, prescribe the term
13 of office, procedure for removal and for the filling of vacancies on the
14 councils. Each community policy council shall adopt bylaws which shall
15 provide for the election of officers, establishment of meeting schedules
16 and meeting notices, rules of procedure and quorums.

17 (c) Members of a policy council receive no compensation for their
18 services, but they may be reimbursed for the expenses incurred in the
19 performance of their duties in the manner prescribed by the board by
20 regulation.

21 (d) The provisions of AS 14.40.160 and AS 44.62.310 apply to
22 meetings of community policy councils in the same manner and to the same
23 extent applicable to meetings of the Board of Regents, its committees
24 and subcommittees.

25 (e) A community policy council acts in a policy-making capacity
26 with respect to the administrator of the community college, coordinator
27 of an off-campus center or administrator of an outreach program. It
28 acts in an advisory capacity to the chancellor for the appropriate
29 division and to the Board of Regents.

1 (f) The community policy council serves as a communications link
2 between the area served by the community college, off-campus center or
3 outreach program and the division chancellor and Board of Regents of the
4 University of Alaska. Requests and recommendations by a community
5 policy council shall be answered in writing by the addressee.

6 (g) A community policy council shall review and make recommenda-
7 tions

8 (1) concerning the selection of the administrator of the
9 community college, off-campus center or outreach program;

10 (2) concerning the proposed program budget for the community
11 college, off-campus center or outreach program for each fiscal year
12 before it is submitted to the division administration and to the Board
13 of Regents; and

14 (3) relating to the general operation and management of the
15 community college, off-campus center or outreach program, including but
16 not limited to:

17 (A) planning for, and review of, the types and uses of
18 instructional programs and activities and types and uses of facili-
19 ties that the community college, off-campus center or outreach
20 program should provide to meet area needs;

21 (B) the level of staffing and funding for these pro-
22 grams, activities or facilities; and

23 (C) the means of gaining support for the university's
24 program in that area.

25 Sec. 14.40.635. REGULATIONS. A community college, an off-campus
26 center, an outreach program, or a central or regional service center for
27 that program, established by the Board of Regents under secs. 565 - 655
28 of this chapter in cooperation with a school district, municipality, an
29 agency of the federal government or a nonprofit corporation or

1 association, shall be operated and maintained under regulations pre-
2 scribed by the board.

3 Sec. 14.40.645. DEFINITIONS. In secs. 565 - 655 of this chapter

4 (1) "board" means Board of Regents of the University of
5 Alaska;

6 (2) "chancellor" means the chief administrative offices of
7 either the urban education or rural education divisions of the university;

8 (3) "municipality" means a home rule or general law borough
9 or city including but not limited to a unified municipality organized
10 under AS 29.68;

11 (4) "outreach program" means either an off-campus educational
12 delivery system or program, whether or not conducted in a physical
13 facility, designed for the conduct of instruction in localities in the
14 rural areas of the state where there is no community college or off-
15 campus center;

16 (5) "president" means the president of the University of
17 Alaska;

18 (6) "service area" means one or more school districts or
19 municipalities, combinations or portions of each or of the unorganized
20 borough, which when combined are considered an educationally serviceable
21 unit for the establishment, operation and maintenance of a community
22 college, an off-campus center or an outreach program in cooperation with
23 the university;

24 (7) "university" means the University of Alaska.

25 Sec. 14.40.655. SHORT TITLE. Sections 565 - 655 of this chapter
26 may be cited as the Community College Act.

27 * Sec. 2. AS 14.40.560 - 14.40.640 are repealed.

28 * Sec. 3. AS 14.40.170(a)(1), (2) and (4) are amended to read:

29 (1) appoint the president of the university and the chancellors

1 of the urban education and rural education divisions established under
2 sec. 605 of this chapter by a majority vote of the whole board, and the
3 president and the chancellors may attend meetings of the board;

4 (2) fix the compensation of the president of the university,
5 the chancellors, all heads of departments, professors, teachers, in-
6 structors and other officers;

7 * Sec. 4. AS 14.40.170(b)(2) is amended to read:

8 (2) determine and regulate the course of instruction in the
9 university with the advise of the president and the chancellors.

10 * Sec. 5. AS 14.40.240 is amended to read:

11 Sec. 14.40.240. POWER OF PRESIDENT, CHANCELLORS TO SUSPEND AND
12 EXPEL STUDENTS. The power to suspend and expel a student for misconduct
13 or other cause and to reinstate him is vested [SOLELY] in the president
14 of the university and in the chancellors of the divisions established
15 under sec. 605 of this chapter.

16 * Sec. 6. AS 14.40.260(1) is amended to read:

17 (1) make a continuing study of the principles and appli-
18 cability of the comprehensive community [JUNIOR] college to the state;

19 * Sec. 7. A cooperative agreement between the Board of Regents of the
20 University of Alaska and a school district, municipality, or an agency of the
21 federal government, with respect to the establishment, operation and mainte-
22 nance of a community college or an off-campus center and in effect on the
23 effective date of this Act shall remain in effect until its agreed expiration
24 and may be modified or extended by mutual agreement unless, before the agreed
25 expiration, it is mutually cancelled by the contracting parties in accordance
26 with law. Nothing in sec. 1 of this Act affects the status of a community
27 college or off-campus center established, maintained and in operation under a
28 cooperative agreement between the Board of Regents and a school district,
29 municipality or an agency of the federal government on the effective date of

1 this Act.

2 * Sec. 8. This Act takes effect July 1, 1976.

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Original sponsor: Rules Committee by
request of the Interim Committee on
Higher Education

Offered: 5/17/75
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 144 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act revising the Community College Act; and pro-
7 viding for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 14.40 is amended by adding new sections to read:

10 ARTICLE 6. COMMUNITY COLLEGE ACT.

11 Sec. 14.40.565. PURPOSE. (a) The system of comprehensive com-
12 munity colleges, extension centers and outreach programs is an integral
13 part of the statewide University of Alaska and includes degree and
14 nondegree programs of postsecondary and continuing education established
15 by the Board of Regents of the University of Alaska in cooperation with
16 the governing bodies of school districts or municipalities in the state,
17 with an agency of the federal government, or with a nonprofit corpora-
18 tion or association to expand the opportunity for obtaining a post-
19 secondary education throughout the state beyond the confines of the
20 established campuses of the university.

21 (b) The comprehensive community college includes flexible, ver-
22 satile programs of postsecondary instruction, counseling and advising,
23 job placement and other activities designed to meet the needs of the
24 area it serves, including but not limited to:

25 (1) courses and curricula that lead to associate degrees, or
26 that enable the student to transfer to a four-year institution of higher
27 education in pursuit of a baccalaureate degree;

28 (2) occupational education including vocational-technical
29 programs and cooperative education in conjunction with employment in

1 business and industry that enable the student to develop technical
2 skills in a chosen trade or occupation and lead either to a degree or a
3 certificate of completion;

4 (3) general education and public interest courses designed to
5 meet the needs of a community, to enable a person to expand his know-
6 ledge, improve the quality of his life, or acquire, change or update a
7 skill that a person lacks or that has become obsolete; and

8 (4) combinations of (1) - (3) of this subsection.

9 (c) The university also shall develop an educational delivery
10 system the principal objective of which is the outreach of the univer-
11 sity into rural Alaska. The statewide system of community colleges,
12 extension centers and outreach programs shall administer and conduct
13 postsecondary educational programs, including but not limited to off-
14 campus study and credit and noncredit courses that may or may not lead
15 to associate, baccalaureate or advanced degrees.

16 Sec. 14.40.575. ESTABLISHMENT. (a) Since postsecondary and
17 continuing education is a statewide responsibility, the university, as
18 the need arises, may enter into a cooperative agreement with an agency
19 of the federal government, a school district, a municipality or a
20 nonprofit corporation or association for the establishment, operation
21 and maintenance of appropriate public postsecondary and continuing
22 educational programs and activities in community colleges, extension
23 centers or by other means.

24 (b) A community college or an extension center may be established
25 by the Board of Regents only in accordance with the minimum criteria
26 established by this section, as supplemented by the board by regulation.

27 (c) The establishment of a community college or an extension
28 center may be proposed by

29 (1) the governing body of a municipality, or a school district;

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(2) an agency of the federal government;

(3) petition of interested citizens in the community or area to be served; a nonprofit corporation or association;

(4) the Alaska Commission on Postsecondary Education or the state advisory council on community colleges created under secs. 901 - 915 of this chapter;

(5) the legislature by concurrent resolution; or

(6) the board.

(d) A new community college or a new extension center may not be established until a feasibility study as to the need for its establishment in the community or area to be served has been completed either as directed by the board, or by a proponent under (c) of this section, and approved by the board. The feasibility study shall be submitted to the respective finance and education policy committees of each house of the legislature and to the Alaska Commission on Postsecondary Education.

(e) The feasibility study required in (d) of this section shall include but is not limited to:

(1) an analysis of the population and educational needs of the municipality, school district or service area in which the proposed community college is to be located;

(2) a description of the boundary of the service area for the proposed community college;

(3) estimated and projected enrollment;

(4) proposed core faculty and administrative staffing;

(5) a proposed budget for the initial fiscal year of operation together with a statement of sources of financial support required for core faculty and administrative staff, curriculum and other programs and activities, and physical facilities;

1 (6) a plan for citizen involvement through a community
2 college advisory council established under sec. 625 of this chapter; and

3 (7) a proposed agreement with the school district, municipi-
4 pality or federal agency or a nonprofit corporation or association under
5 sec. 585(a) of this chapter.

6 (f) If in any community where a community college has been proposed,
7 the level of demand for postsecondary and continuing education as deter-
8 mined by the feasibility study required under (d) of this section is
9 more limited than that required for the establishment of a comprehensive
10 community college program, the board may establish an extension center
11 or an outreach program.

12 Sec. 14.40.585. RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY,
13 FEDERAL AGENCY. (a) A school district, municipality, federal agency or
14 nonprofit corporation or association may make an agreement with the
15 University of Alaska for the establishment, operation and maintenance of
16 a community college, an extension center or off-campus instruction
17 through an outreach program. The agreement shall include, but is not
18 limited to:

19 (1) recognition that complete operational authority resides
20 with the university, subject to periodic reviews by the cooperating
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22 or association and appropriate reports to ensure program articulation
23 and effective cross-utilization of facilities;

24 (2) provision for cooperative planning of program and facili-
25 ties needs and for cross-utilization of facilities;

26 (3) provision that local funding, in addition to student fees
27 or in-kind contributions, may be provided for support of those general
28 education courses, described in sec. 565(b)(3) of this chapter, or
29 secondary school-related courses as the school district, municipality,

1 federal agency or nonprofit corporation or association considers appro-
2 priate; and

3 (4) provision for periodic review of the agreement.

4 (b) If separate facilities are financed, constructed or maintained
5 from federal, state or private funds for programs and activities of the
6 community college, extension center or outreach program, then the board
7 has title to and control of the separate facilities used for these
8 purposes. If separate facilities are financed, constructed or maintained
9 from school district, municipality or nonprofit corporation or associa-
10 tion funds for community college or extension center or outreach programs
11 and activities, the school district, municipality or nonprofit corpora-
12 tion or association has title to and control of the separate facilities
13 used for these purposes.

14 Sec. 14.40.595. FINANCE. (a) The state is basically responsible
15 for the funding for all community college, extension center or outreach
16 programs and activities. However, nothing in secs. 565 - 655 of this
17 chapter prohibits a school district, municipality, federal agency or
18 nonprofit corporation or association from providing funds for additional
19 courses and programs which may be considered appropriate under sec.
20 585(a)(3) of this chapter.

21 (b) The university shall prepare a complete program budget for
22 each community college, extension center and outreach programs including
23 all courses, programs and activities regardless of the source of funding,
24 including but not limited to funds from fees, grants, contracts, or
25 agreements.

26 (c) All funds received for community college, extension center or
27 outreach programs operations shall be administered in the manner pre-
28 scribed by the board by regulation.

29 Sec. 14.40.605. ADMINISTRATION. (a) The president of the univer-

1 sity shall appoint a chief administrative officer for the community
2 college and extension center system whose primary responsibility is the
3 community colleges, extension centers and outreach programs statewide,
4 working with the community college administrators, extension center
5 coordinators and regional administrators. The chief administrative
6 officer is responsible directly to the president. In addition to his
7 responsibility for the administration of on-campus programs for the
8 community colleges and extension centers, the chief administrative
9 officer shall develop and administer off-campus educational delivery
10 systems and outreach programs for rural areas of the state.

11 (b) The administrator of each community college is a dean or
12 director appointed in the manner prescribed by the board by regulation.

13 (c) Each extension center is under the direction of a coordinator
14 appointed by the regional administrator in the manner prescribed by the
15 board by regulation.

16 (d) A central service organization for the community colleges,
17 extension centers and for the outreach programs shall be created and
18 regional service centers shall be established to administer the outreach
19 programs and to provide postsecondary educational services to the
20 residents of the rural areas of the state in each service area for which
21 a regional center is established. In a service area where a community
22 college or extension center is located, the regional service center
23 shall be integrated with the operation of the community college or exten-
24 sion center.

25 Sec. 14.40.615. FACULTY; COURSE OF INSTRUCTION. (a) Full-
26 time members of the faculty and administrative staff of each com-
27 munity college and extension center are members of the faculty and
28 administrative staff, respectively, of the University of Alaska for
29 all purposes.

1 (b) The president is responsible for prescribing the qualifica-
2 tions, and for establishing the procedure for appointment, of all
3 community college and extension center faculty and administrative staff,
4 whether part or full-time.

5 (c) A community college, extension center or outreach program is
6 concerned with the total educational needs of the area it serves and may
7 coordinate and facilitate all public postsecondary and continuing educa-
8 tion in the area. Selected upper division and graduate courses offered
9 by the university through its various divisions may be coordinated
10 through the office of the dean or director of a community college, the
11 coordinator of an extension center, or the administrator of an outreach
12 program.

13 Sec. 14.40.625. COMMUNITY POLICY COUNCIL. (a) A community policy
14 council, the majority of whose members shall be persons served by the
15 programs developed and administered under secs. 565 - 655 of this
16 chapter, shall be established for each community college and for the
17 central service organization. The council shall consist of not less
18 than seven nor more than 15 members who shall be broadly representative
19 of the area served, including faculty and student representation.
20 A policy council shall be appointed for an extension center and for each
21 regional service center, when the center is not integrated with a com-
22 munity college or extension center, at the discretion of the board.

23 (b) The board, by regulation, shall designate the appointing
24 authority for members of community policy councils, prescribe the term
25 of office, procedure for removal and for the filling of vacancies on
26 the councils. Each community policy council shall adopt bylaws which
27 shall provide for the election of officers, establishment of meeting
28 schedules and meeting notices, rules of procedure and quorums.

29 (c) Members of a policy council receive no compensation for their

1 services, but they may be reimbursed for the expenses incurred in the
2 performance of their duties in the manner prescribed by the board by
3 regulation.

4 (d) The provisions of AS 14.40.160 and AS 44.62.310 apply to
5 meetings of community policy councils in the same manner and to the same
6 extent applicable to meetings of the Board of Regents, its committees
7 and subcommittees.

8 (e) A community policy council acts in a policy-making capacity
9 with respect to the administrator of the community college, coordinator
10 of an extension center or administrator of an outreach program. It acts
11 in an advisory capacity to the administrator of the region in which the
12 college, center or program is located, to the chief administrative
13 officer for community colleges, extension centers and outreach programs,
14 and to the president of the university and the Board of Regents.

15 (f) The community policy council serves as a communications link
16 between the area served by the community college, extension center or
17 outreach program and the University of Alaska. Requests and recommenda-
18 tions by a community policy council shall be answered in writing by the
19 addressee.

20 (g) A community policy council shall review and make recommenda-
21 tions

22 (1) concerning the selection of the administrator of the
23 community college, extension center or outreach program;

24 (2) concerning the proposed program budget for the community
25 college, extension center or outreach program for each fiscal year
26 before it is submitted to the regional or statewide administration and
27 to the Board of Regents; and

28 (3) relating to the general operation and management of the
29 community college, extension center or outreach program, including but

1 not limited to:

2 (A) planning for, and review of, the types and uses of
3 instructional programs and activities and types and uses of facili-
4 ties that the community college, extension center or outreach
5 program should provide to meet area needs;

6 (B) the level of staffing and funding for these pro-
7 grams, activities or facilities; and

8 (C) the means of gaining support for the university's
9 program in that area.

10 Sec. 14.40.635. REGULATIONS. A community college, an extension
11 center, an outreach program, or a central or regional service center for
12 that program, established by the university under secs. 565 - 655 of
13 this chapter in cooperation with a school district, municipality, an
14 agency of the federal government or a nonprofit corporation or associa-
15 tion, shall be operated and maintained under regulations prescribed by
16 the board.

17 Sec. 14.40.645. DEFINITIONS. In secs. 565 - 655 of this chapter

18 (1) "board" means Board of Regents of the University of
19 Alaska;

20 (2) "municipality" means a home rule or general law borough
21 or city including but not limited to a unified municipality organized
22 under AS 29.68;

23 (3) "outreach program" means either an off-campus educational
24 delivery system or program, whether or not conducted in a physical
25 facility, designed for the conduct of instruction in localities in the
26 rural areas of the state where there is no community college or exten-
27 sion center;

28 (4) "president" means the president of the University of
29 Alaska;

1 (5) "service area" means one or more school districts or
2 municipalities, combinations or portions of each or of the unorganized
3 borough, which when combined are considered an educationally serviceable
4 unit for the establishment, operation and maintenance of a community
5 college, an extension center or an outreach program in cooperation with
6 the university;

7 (6) "university" means the University of Alaska.

8 Sec. 14.40.655. SHORT TITLE. Sections 565 - 655 of this chapter
9 may be cited as the Community College Act.

10 * Sec. 2. AS 14.40.560 - 14.40.640 are repealed.

11 * Sec. 3. AS 14.40.100 is amended to read:

12 Sec. 14.40.100. [COLLEGE] EXTENSION SERVICE. The regents shall
13 [MAY] conduct an [A COLLEGE] extension service, the principal objectives
14 [LEADING OBJECT] of which are the outreach of the university into rural
15 Alaska and the development and administration of off-campus educational
16 delivery systems and programs, including but not limited to off-campus
17 study and credit and noncredit courses that may or may not lead to
18 associate, baccalaureate or advanced degrees [IS TO CARRY INFORMATION ON
19 RURAL LIFE SUBJECTS TO THE PEOPLE OF THE STATE].

20 * Sec. 4. A cooperative agreement between the Board of Regents of the
21 University of Alaska and a school district, municipality, or an agency of the
22 federal government, with respect to the establishment, operation and mainte-
23 nance of a community college or an extension center and in effect on the
24 effective date of this Act shall remain in effect until its agreed expiration
25 and may be modified or extended by mutual agreement unless, before the
26 agreed expiration, it is mutually cancelled by the contracting parties in
27 accordance with law. Nothing in sec. 1 of this Act affects the status of a
28 community college or extension center established, maintained and in operation
29 under a cooperative agreement between the Board of Regents and a school

1 district, municipality or an agency of the federal government on the effective
2 date of this Act.

3 * Sec. 5. This Act takes effect July 1, 1975.
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Introduced: 2/11/75
Referred: Health, Education &
Social Services and Finance

BY THE RULES COMMITTEE
BY REQUEST OF THE INTERIM
COMMITTEE ON HIGHER EDUCATION

1 IN THE HOUSE

2 HOUSE BILL NO. 144

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act revising the Community College Act; and pro-
7 viding for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 14.40 is amended by adding new sections to read:

10 ARTICLE 6. COMMUNITY COLLEGE ACT.

11 Sec. 14.40.565. PURPOSE. (a) The system of comprehensive com-
12 munity colleges and extension centers is an integral part of the state-
13 wide University of Alaska and includes degree and nondegree programs of
14 postsecondary and continuing education established by the Board of
15 Regents of the University of Alaska in cooperation with the governing
16 bodies of school districts or municipalities in the state, or with an
17 agency of the federal government, to expand the opportunity for
18 obtaining a postsecondary education throughout the state beyond the
19 confines of the established campuses of the university.

20 (b) The comprehensive community college includes flexible,
21 versatile programs of postsecondary instruction, counseling and advising,
22 job placement and other activities designed to meet the needs of the
23 community it serves, including but not limited to:

24 (1) courses and curricula that lead to associate degrees, or
25 that enable the student to transfer to a four-year institution of higher
26 education in pursuit of a baccalaureate degree;

27 (2) occupational education including vocational-technical
28 programs and cooperative education in conjunction with employment in
29 business and industry that enable the student to develop technical

1 skills in a chosen trade or occupation and lead either to a degree or
2 a certificate of completion;

3 (3) general education courses designed to meet the needs
4 of a community, to enable a person to expand his knowledge, improve
5 the quality of his life, or acquire, change or update a skill that
6 a person lacks or that has become obsolete; and

7 (4) combinations of (1) - (3) of this subsection.

8 Sec. 14.40.575. ESTABLISHMENT. (a) Since postsecondary and
9 continuing education is a statewide responsibility, the university,
10 as the need arises, may enter into a cooperative agreement with an
11 agency of the federal government, a school district, or a municipality
12 for the establishment, operation and maintenance of appropriate
13 public postsecondary and continuing educational programs and activities
14 in community colleges, extension centers or by other means.

15 (b) A community college or an extension center may be established
16 by the Board of Regents only in accordance with the minimum criteria
17 established by this section, as supplemented by the board by regulation.

18 (c) The establishment of a community college or an extension
19 center may be proposed by

20 (1) the governing body of a municipality, or a school
21 district;

22 (2) an agency of the federal government;

23 (3) petition of interested citizens in the community or
24 area to be served;

25 (4) the Alaska Commission on Postsecondary Education or the
26 state advisory council on community colleges created under secs. 901 -
27 915 of this chapter;

28 (5) the legislature by concurrent resolution; or

29 (6) the board.

1 (d) A new community college or a new extension center may not
2 be established until a feasibility study as to the need for its estab-
3 lishment in the community or area to be served has been completed
4 either as directed by the board, or by a proponent under (c) of this
5 section, and approved by the board. The feasibility study shall be
6 submitted to the respective finance and education policy committees of
7 each house of the legislature and to the Alaska Commission on Post-
8 secondary Education.

9 (e) The feasibility study required in (d) of this section shall
10 include but is not limited to:

11 (1) an analysis of the population and educational needs of
12 the municipality, school district or service area in which the proposed
13 community college is to be located;

14 (2) a description of the boundary of the service area for the
15 proposed community college;

16 (3) estimated and projected enrollment;

17 (4) proposed core faculty and administrative staffing;

18 (5) a proposed budget for the initial fiscal year of opera-
19 tion together with a statement of sources of financial support required
20 for core faculty and administrative staff, curriculum and other programs
21 and activities, and physical facilities;

22 (6) a plan for citizen involvement through a community
23 college advisory council established under sec. 625 of this chapter; and

24 (7) a proposed agreement with the school district, munic-
25 ipality or federal agency under sec. 585(a) of this chapter.

26 (f) If in any community where a community college has been
27 proposed, the level of demand for postsecondary and continuing educa-
28 tion as determined by the feasibility study required under (d) of
29 this section is more limited than that required for the establishment

1 of a comprehensive community college program, the board may establish
2 an extension center.

3 Sec. 14.40.585. RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY,
4 FEDERAL AGENCY. (a) A school district, municipality or federal agency
5 may make an agreement with the University of Alaska for the establish-
6 ment, operation and maintenance of a community college or an extension
7 center. The agreement shall include, but is not limited to:

8 (1) recognition that complete operational authority resides
9 with the university, subject to periodic reviews by the cooperating
10 school district, municipality or federal agency and appropriate reports
11 to ensure program articulation and effective cross-utilization of
12 facilities;

13 (2) provision for cooperative planning of program and
14 facilities needs and for cross-utilization of facilities;

15 (3) provision that local funding, in addition to student
16 fees or in-kind contributions, may be provided for support of those
17 general education courses, described in sec. 565(b)(3) of this chapter,
18 or secondary school-related courses as the school district, municipality
19 or federal agency considers appropriate; and

20 (4) provision for periodic review of the agreement.

21 (b) If separate facilities are financed, constructed or main-
22 tained from federal, state or private funds for programs and activities
23 of the community college or extension center, then the board has title
24 to and control of the separate facilities used for these purposes. If
25 separate facilities are financed, constructed or maintained from school
26 district or municipality funds for community college or extension
27 center programs and activities, the school district or municipality has
28 title to and control of the separate facilities used for these purposes.

29 Sec. 14.40.595. FINANCE. (a) The state is basically responsible

1 for the funding for all community college or extension center programs
2 and activities. However, nothing in secs. 565 - 655 of this chapter
3 prohibits a school district, municipality or federal agency from pro-
4 viding funds for additional courses and programs which may be considered
5 appropriate under sec. 585(a)(3) of this chapter.

6 (b) The university shall prepare a complete program budget for
7 each community college and extension center including all courses,
8 programs and activities regardless of the source of funding, including
9 but not limited to funds from fees, grants, contracts, or agreements.

10 (c) All funds received for community college or extension center
11 operations shall be administered in the manner prescribed by the board by
12 regulation.

13 Sec. 14.40.605. ADMINISTRATION. (a) The chief administrative
14 officer of the community college and extension center system of the
15 university is a vice-president for community colleges whose responsi-
16 bility is the community colleges and extension centers, working with
17 the community college administrators, extension center coordinators
18 and regional administrators. The vice-president shall be appointed by
19 the president and is subject to the direction of the president and the
20 board.

21 (b) The administrator of each community college is a dean or
22 director appointed in the manner prescribed by the board by regulation.

23 (c) Each extension center is under the direction of a coordinator
24 appointed by the regional administrator in the manner prescribed by
25 the board by regulation.

26 Sec. 14.40.615. FACULTY: COURSE OF INSTRUCTION. (a) Fulltime
27 members of the faculty and administrative staff of each community college
28 and extension center are members of the faculty and administrative staff,
29 respectively, of the University of Alaska for all purposes.

1 (b) The president is responsible for prescribing the qualifications,
2 and for establishing the procedure for appointment, of all community
3 college and extension center faculty and administrative staff, whether
4 part or full-time.

5 (c) A community college is concerned with the total educational
6 needs of the community it serves and may coordinate and facilitate all
7 public postsecondary and continuing education in the community.
8 Selected upper division and graduate courses offered by the university
9 through its various divisions may be coordinated through the office of
10 the dean or director of a community college or the coordinator of an
11 extension center.

12 Sec. 14.40.625. COMMUNITY ADVISORY COUNCIL. (a) A community
13 advisory council for each community college consisting of not less
14 than seven nor more than 15 members who shall be broadly representative
15 of the community served, including faculty and student representation,
16 shall be appointed in the manner prescribed by this section and by the
17 board by regulation. An advisory council may be appointed for an
18 extension center at the discretion of the board.

19 (b) The term of office for an advisory council member is three
20 years. No advisory council member may serve more than two consecutive
21 terms; however, each advisory council member serves until his successor
22 is appointed and qualifies. Members of an advisory council may be
23 removed by the board or the president for cause. The board, by regula-
24 tion, shall designate the appointing authority for members of community
25 advisory councils and shall provide for the filling of vacancies in
26 advisory councils. Each community advisory council shall adopt bylaws
27 which shall provide for the election of officers, establishment of
28 meeting schedules and meeting notices, rules of procedure and quorums.

29 (c) Members of an advisory council receive no compensation for

1 their services, but they may be reimbursed for the expenses incurred
2 in the performance of their duties in the manner prescribed by the board
3 by regulation.

4 (d) The provisions of AS 14.40.160 and AS 44.62.310 apply to
5 meetings of community advisory councils in the same manner and to the
6 same extent applicable to meetings of the Board of Regents, its
7 committees and subcommittees.

8 (e) An advisory council acts in an advisory capacity to the
9 administrator of the community college, coordinator of an extension
10 center and to the administrator of the region in which the college or
11 center is located, the vice-president for community colleges and
12 president of the university, and to the Board of Regents, and serves
13 as a communications link between the community served by the college
14 or center and the University of Alaska. An advisory council shall
15 review and make recommendations concerning the proposed program budget
16 for the community college or extension center for each fiscal year
17 before it is submitted to the regional or statewide administration and
18 to the Board of Regents. An advisory council may make recommendations
19 relating to the general operation and management of the community
20 college or extension center, including but not limited to:

21 (1) planning for, and review of, the types and uses of
22 instructional programs and activities and types and uses of facilities
23 that the community college or extension center should provide to meet
24 community needs;

25 (2) the level of staffing and funding for these programs,
26 activities or facilities; and

27 (3) the means of gaining support for the university's pro-
28 gram in that community.

29 (f) If a senior college or regional center is located in the

1 same community or service area as a community college or extension
2 center, the scope of the community advisory council's authority and
3 responsibility set out in (e) of this section may be expanded by the
4 board by regulation to include comparable authority and responsibility
5 for reviewing the general operation and management of the senior college
6 or regional center in the same manner and to the same extent prescribed
7 for a community college or extension center.

8 Sec. 14.40.635. REGULATIONS. A community college or an extension
9 center established by the university under secs. 565 - 655 of this
10 chapter in cooperation with a school district, municipality, or an
11 agency of the federal government, shall be operated and maintained under
12 regulations prescribed by the board.

13 Sec. 14.40.645. DEFINITIONS. In secs. 565 -655 of this chapter

14 (1) "board" means Board of Regents of the University of
15 Alaska;

16 (2) "municipality" means a home rule or general law borough
17 or city including but not limited to a unified municipality organized
18 under AS 29.68;

19 (3) "president" means the president of the University of
20 Alaska;

21 (4) "service area" means one or more school districts or
22 municipalities, combinations or portions of each or of the unorganized
23 borough, which when combined are considered an educationally serviceable
24 unit for the establishment, operation and maintenance of a community
25 college or an extension center in cooperation with the university;

26 (5) "university" means the University of Alaska.

27 Sec. 14.40.655. SHORT TITLE. Sections 565 - 655 of this chapter
28 may be cited as the Community College Act.

29 * Sec. 2. AS 14.40.560 - 14.40.640 are repealed.

1 * Sec. 3. A cooperative agreement between the Board of Regents of the
2 University of Alaska and a school district, municipality, or an agency of the
3 federal government, with respect to the establishment, operation and mainte-
4 nance of a community college or an extension center and in effect on the
5 effective date of this Act shall remain in effect until its agreed expiration
6 and may be modified or extended by mutual agreement unless, before the
7 agreed expiration, it is mutually cancelled by the contracting parties in
8 accordance with law. Nothing in sec. 1 of this Act affects the status of
9 a community college or extension center established, maintained and in
10 operation under a cooperative agreement between the Board of Regents and
11 a school district, municipality or an agency of the federal government on
12 the effective date of this Act.

13 * Sec. 4. This Act takes effect July 1, 1975.

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